

State of California

Franchise Tax Board-Legislative Services Bureau
PO Box 1468 MS A350
Sacramento, CA 95812-1468

Telephone: (916) 845-4326
ATSS: (916) 468-4326
FAX: (916) 845-5472

Legislative Change No.

06-26

Bill Number: SB 1827 Author: Migden Chapter Number: 06-802

Laws Affecting Franchise Tax Board: Section 297.5 of the Family Code
Section 17024.5 of the Revenue and Taxation Code
Section 18521 of the Revenue and Taxation Code

Date Filed with the Secretary of State: September 30, 2006

SUBJECT: Filing Status/Domestic Partners

Senate Bill 1827 (Migden), as enacted on September 30, 2006, made the following changes to California law:

Section 297.5 of the Family Code is amended.

This act repeals language in the Family Code that made a distinction between earned and unearned income of a Registered Domestic Partner (RDP). The effect of this change is that the California community property rules are applied in the same manner for RDPs as for California married couples.

Section 17024.5 of the Revenue and Taxation Code is amended.

This act provides a rule to determine the application of limits based on federal adjusted gross income for RDPs to combine the amounts reflected as adjusted gross income on the federal income tax return of each RDP.

Section 18521 of the Revenue and Taxation Code is amended.

This act requires RDPs to file a personal income tax return jointly or separately by applying the standards applicable to married couples under federal income tax law.

This act is effective on January 1, 2007, and operative for taxable years beginning on or after that date.

This act will not require any reports by the department to the Legislature.

Assistant Bureau Director

Patrice Gau-Johnson

Date

10/17/06